

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

SYED IRFAN,

Petitioner,

v.

Civil Action No. 3:16CV819

J. KUPLINSKY,

Respondent.

MEMORANDUM OPINION

Syed Irfan, an alien detainee proceeding with counsel, submitted this petition pursuant to 28 U.S.C. § 2241 ("§ 2241 Petition," ECF No. 1). In his § 2241 Petition, Irfan seeks release from the custody of the United States Immigration and Customs Enforcement ("ICE"). On October 21, 2017, Irfan was removed to Pakistan and is no longer in ICE custody. (ECF No. 31-1, at 2.) Such action moots the § 2241 petition. Therefore, the present action must be dismissed as moot. See Sayyah v. Farquharson, 382 F.3d 20, 22 n.1 (1st Cir. 2004) (noting that alien's release mooted alien's habeas challenge to continued detention).

Accordingly, the action will be dismissed as moot. The outstanding motions (ECF Nos. 17, 23) will be denied.

It is so ordered.

/s/

RED

Robert E. Payne
Senior United States District Judge

Date: *November 26, 2017*
Richmond, Virginia